

1907-018
Lee Co.

Chancery Causes: John S. Bailey & vs. John A. Robbins &

Roop, Parsons, Holmes

1 Plat

CA- Contract Dispute
T-Property

-Deed

To the Honorable H. A. W. Skeen, Judge of the circuit court
for Lee County, Virginia:

Humbly complaining, your orator John S. Bailey, your
oratrix, Sallie Roop, and your orators, C. B. Bailey and T. A.
Bailey, the two last named being infants, who sue by John S.
Bailey, their brother and next friend, respectfully represent:

That by deed dated the 11th day of January, 1893, and of
record in Lee County Deed Book No. 29, page 246, their father,
James M. Bailey, and others, conveyed to their grandmother,
Mary Bailey, a tract of land lying in Lee County, Virginia,
in Yokum Station Magisterial District, on the waters of Cox creek
and Jones Creek, in that section of country known as the
Lower Crab Orchard; as will fully appear from an inspection
of the said deed, an attested office copy of which is here-
with filed as a part hereof, marked "Exhibit No. 1";

That after the date of the said conveyance, ^{about 1893 or 1894} their said
father, the said James M. Bailey, died intestate, leaving your
orators, your oratrix and their brother H. M. Bailey, his only
children and heirs at law;

That after the death of their said father, their brother,
the said H. M. Bailey, died intestate, and without issue, in
fact before he arrived at the age of twenty-one years;

That after the death of their father and brother as afore-
said, about the year 18____, their said grandmother, the said
Mary Bailey, also died intestate, and, at the date of her death,
was still the owner of the tract of land which is fully described
in the deed aforesaid;

That, upon her death, the title to the said tract of land
passed by operation of law to her ^{nine} ~~eight~~ children then living
and her four grand-children, viz: your orators and your oratrix;
as her heirs at law;

That the children of their said grand-mother, who were
living at the time of her death, are as follows: (1) Jane,
the wife of B. F. Parsons; (2) William M. Bailey; (3) Sarah.

the wife of John S. Holmes; (4) Martha, the wife of Jehu Holmes; (5) T. A. Bailey; (6) C. B. Bailey; (7) B. F. Bailey; (8) H. T. Bailey, ^{(9) John W. Bailey;} and your orators and your oratrix were the only other living decendants left by her;

That by deed dated the 16th day of December, 1897, the said T. A. Bailey and Susan, his wife, C. B. Bailey and Rebecca, his wife, Bennett Bailey and Jane, his wife, H. T. Bailey and Polly, his wife, W. M. Bailey and Rebecca, his wife, Jane Parsons and Sarah Holmes and John S. Holmes, her husband, sold and conveyed their undivided interests in ~~in~~ a certain parcel of the said tract of land to one John A. Robbins, as will fully appear from an inspection of the said deed, a copy of which is herewith filed as a part hereof, marked "Exhibit No. 2."; said deed having been recorded in Lee County Deed Book No. 34, page 206;

That by deed dated the 22nd day of February, 1896, and recorded in Lee County Deed Book No. 34, page 195, the said Bennett Bailey and Jane, his wife, W. M. Bailey and Rebecca his wife, Sarah Holmes, C. B. Bailey, Martha Holmes, T. A. Bailey and Susan, his wife, and H. T. Bailey conveyed their undivided interests in another parcel of the said tract of land to one George W. Mullens; as will fully appear from an inspection of the said deed, a copy of which is herewith filed as a part hereof marked "Exhibit No. 3.";

That by deed dated the 17th day of August, 1898, ~~the~~ and recorded in Lee County Deed Book No. 41, page 68, the said George W. Mullins and Emely, his wife, conveyed the said interests in the parcel last above mentioned to the said John A. Robbins, as will fully appear from an inspection of the said deed, a copy of which is herewith filed as a part hereof, marked "Exhibit No. 4.";

That by deed dated the 26th day of February, 1896, the said T. A. Bailey and Susan E. his wife, Bennett Bailey and Jane, his wife, H. T. Bailey, J. W. Bailey, C. B. Bailey, Martha Holmes, Nancy J. Parsons, Sarah L. Holmes, and W. M. Bailey and Rebecca his wife, conveyed their undivided interests in still another parcel of the said tract of land to one Wm. G. Robbins as will fully appear from an inspection of the said deed, a copy of which is herewith filed as a part hereof marked "Exhibit No.5", said deed having been recorded in Lee County Deed Book No.37, page258;

That the said Wm.G.Robbins, since the date ^{of the conveyance} to him as aforesaid, Has died intestate, leaving a widow, Mary Robbins, and the following named children, his heirs at law, to whom his interest therein, descended, namely: Palmer Robbins, Clinton² Robbins, Ernest³ Robbins, Maynard⁴ Robbins, Charley⁵ Robbins and William⁶ Robbins, the four last named being infants under the age of twenty-one years;

That very nearly the whole of the said tract of land which was owned by their said grandmother at the time of her death was covered with a very fine and very valuable growth of merchantable timber, consisting principally of poplar, oak, ash and pine, and the same was valuable chiefly for the timber and minerals thereon, and thereunder;

That the said John A. Robbins, George W. Mullens and Wm.G.Robbins, after the purchase by them of the interests hereinbefore set out, respectively, have cut and removed from the said tract of land timber to the value of about one thousand dollars and converted the money received therefrom to their own use, and have been in the possession of and collecting and receiving and converting to their own use the rents issues and profits arising from the said tract of land from the dates of the aforesaid conveyances to them respectfully in utter disregard ~~to~~ of the rights of your orators and oratrix, who were

infants during most of the time, having no guardian, and two of whom are still infants, and that said rents issued and profits over and above the timber sold are reasonably worth one hundred dollars per annum;

That your orators and your oratrix have never sold or conveyed their interests in the said land to any person, but are still the owners of a one tenth undivided interest therein;

That the ⁸state of timber hereinbefore set out was committed by said parties without the consent of your orators and your oratrix, and that they have never been reimbursed or paid for their interest in the said timber or any part thereof;

That they have been paid nothing for the rents issues and profits of their interest in said land during all the time since the death of their said grandmother, and are now entitled to an accounting for same; and

That they have been greatly damages and injured in their estate in the said land by the clearing up of the said land and the cutting of the timber from the said tract of land at a time when same was a great distance from market, and by losing the growth on same for many years.

Your orators and your oratrix therefore pray that the said John A. Robbins, Mary Robbins, widow as aforesaid, Palmer Robbins, Clinton Robbins, Maynard Robbins, Charley Robbins, Ernest Robbins and William Robbins be made parties defendant to this bill; that process issue against them as such; that a guardian ad litem be appointed to answer and defend the same for the said infant defendants; that the adult defendants be required to answer fully the several allegations of this bill of complaint, but not under oath as that is expressly waived; that a commissioner be appointed to take an accounting of the timber removed from the said lands and the value of the rents issues and profits received therefrom by the said defendants and by Wm.G.Robbins in his lifetime; that,

after the ascertainment of the said value of the said timber removed as aforesaid and the value of the rents and profits received from the said land, the said tract of land be partitioned in kind among the parties entitled thereto according to their respective interests, and, in said partition, that they be compensated for the said timber and rents and profits, or be given a money judgment against the said defendants for same; that, if it shall be found impracticable, to partition the said land in kind, same be sold as a whole, and the proceeds divided among the parties according to their respective interests, having due regard to the value of the timber wasted &c.† and that such other and further relief, both special and general, be granted them as their cause merits, or to equity and good conscience shall deem meet.

L. P. Hyatt, p.q.

John S. Bailey et al
 vs { In Chancery
 John A. Robbins et al

Bill

1906, 1st May Rules,
 Bill filed, Spas
 executed, Aus G.O.L.
 filed & D.N.
 " 2nd May Rules
 D.N. Conf'd, & cause
 set for hearing.

Costs:

Clerk --- \$ 8.75-
 Shff. --- 2.00
 Atty. --- 15.00
 Comr. --- 1.50
 G.O.L. --- 5.00
 L. T. HYATT, \$30.25

ATTORNEY AT LAW,
 JONESVILLE, VIRGINIA.

Costs:
 Clerk \$ 15.87
 Sur 34.50
 Shff 3.50
 Atty. 15.00
 Comr. 1.50
 G.O.L. 5.00
 75.37

In the Circuit Court for the County of Lee,
to-wit:

THE ANSWER OF Palmer Robbins, Clinton Robbins,
Earnest Robbins, and William Robbins Manor
Robbins and Charley Robbins,

infants under the age of twenty-one years, by M. G. Ely,
guardian *ad litem*, assigned to defend them in this suit, to a bill of complaint exhibited against
them and others in the Circuit Court for the County of
Lee, by John S. Bailey and others.

The respondent, reserving to themselves the benefit of all just exceptions to the said bill, for
answer thereto, answering by said guardian *ad litem*, say that they are infants of
tender years, and by reason of such disability are incapable of understanding, or of
taking care of their rights and interests, They therefore commend the same
to the protection of the court, and prays that no decree may be pronounced which will tend
to their prejudice.

And having answered, the respondent pray to be hence dismissed with their
reasonable costs, in this behalf expended; and they will ever pray, &c.

M. G. Ely — Guardian *ad litem*.

p. d.

County
OF
Lee } ss.

This day, M. G. Ely, whose name is signed to
the foregoing answer, personally appeared before me, N. C. I. Ewing clerk
and made oath that the statements made therein, so far as they depend upon his own knowl-
edge, are true, and so far as they depend upon knowledge derived from others he believes them
to be true.

Given under my hand, this 9th day of May 1906.

N. C. I. Ewing, clerk,
By M. C. Hanan D.C.

John A. Robbins et al

adv. }

ANSWER
OF
INFANT DEFENDANT.

John S. Bailey et al

Filed May 23 1906.
in open court & by leave
thereof. H. L. Goring, clk.

H. A. Fur \$5.00

John S. Bailey et al.

Plaintiffs

vs.

John A. Robbins et al.

Defendants

This cause came on again this 23^d day of September 1907, to be heard upon the papers formerly read in the cause and the of L. M. Carnieal, W. M. Stewart and M. D. Collier, ~~special commissioners~~ filed in the Clerk's office on the 13th day of September, 1907, and was argued by counsel. On consideration of which, and it appearing from the said report and the plat filed therewith that the said Commissioners have made partition of the tract of land mentioned therein under and pursuant to the requirements of the decree entered in this cause on the 20th day of February, 1907, and no exceptions having been taken or filed to said report or plat, it is therefore adjudged ordered and decreed that said report of partition and the plat accompanying the same be and they are each hereby confirmed.

And it is, therefore, further adjudged, ordered and decreed that the plaintiffs take and hold in severalty, free from the claim of the defendants Lot No. 1, containing 7 $\frac{1}{2}$ acres, according to the description, metes and bounds set out in said report and shown by said plat; and that the defendants take and hold said Lot No. 2, free from the claims of the plaintiffs.

And it is further adjudged, ordered and decreed that the plaintiffs recover from the defendants nine-tenths of the costs of this suit which

1 have accrued since February Term 1907, of this
2 court, to be taxed by the clerk, which recov-
3 ery shall constitute a lien on said Lot No. 2;
4 and for which execution may issue.

5 And it is further adjudged, ordered and
6 decreed that the clerk of this county record the
7 decree appointing said commissioners, the said
8 plat and report, and this decree, in the proper
9 deed book, and index the same as required by
10 law, his fees for recording same to be taxed
11 as a part of the costs of this suit.

12 And it is further adjudged, ordered and
13 decreed that the plaintiffs pay to L. P. Nyatt
14 the sum of twenty-five dollars as his fee for
15 services in this case, which amount appears to
16 have already been received by him, as shown by
17 decree entered herein on July 26, 1907.

18 And there remaining nothing further to be
19 done in this cause, it is ordered that same be
20 stricken from the docket.

Virginia, Lee County, to-wit:

22 In the Clerk's office of Lee County, on this the 26th day of
23 September, 1907, the foregoing decrees, commissioners' report and plat
24 were presented, and ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ admitted to record.

25 Teste: H. C. J. Cuming, Clerk.
26

John S. Bailey et al

vs. J. L. Chy

John A. Robbins et al

Decree Final

Entered in C. O. B.

8, page 330 re

- 3 -

Enter this decree
Sept 23^d 1907.

H. C. J. Cuming

Recorded in deed

Book 46, page 249 re

Examined Oct. 17, 1907

Indexed

John S. Bailey, Sallie Roop, C.B. Bailey and L. A. Bailey, the two last named being infants under the age of twenty-one years, Plaintiffs.

vs. (In Chancery) Decree No. 2.

John A. Robbins, Mary Robbins, widow of W. G. Robbins, deceased, Palmer Robbins, Clinton Robbins, Ernest Robbins, William Robbins, Maynard Robbins, and Charley Robbins, the five last named being infant children and heirs at law of said Wm. G. Robbins, deceased, Defendants.

This cause came on again this day to be heard upon the papers formerly read in the cause and the report of Geo. P. Cridlin, Special Commissioner, filed in the cause on 28th day of November, 1906, and was argued by counsel.

On consideration whereof it is adjudged, ordered and decreed that the said report of the said commissioner be and the same is hereby confirmed, and that the plaintiffs recover from the defendant the sum of twenty-five dollars and the costs of this suit up to the present time on account of the rents due them for their interest in the said lands, and the timber removed from same by the said defendants. But no execution shall issue for the said judgment and costs, the attorney for the plaintiffs stating in open court that the said twenty-five dollars and also the sum of thirty dollars and twenty-five cents costs have already been paid to him as counsel for the plaintiffs.

And it is further adjudged, ordered and decreed that L. M. Carmical, W. M. Stewart, M. D. Collier, Jonas Smith, Grant Legg who are hereby appointed special commissioners for the purpose, do go upon the lands owned by Mary Bailey, deceased, in her lifetime, which tract is fully described in the deed dated January 11th, 1893 from Jas. M. Bailey and others to the said Mary Bailey, and recorded in Lee County Deed Book No. 29, page 246, and lay off and assign to the plaintiffs one equal tenth part thereof, having due regard to quantity, quality, water, ways, minerals, and conveniences, if they can do so conveniently and equitably, and report their action to the court. And, if in their opinion, they can not so partition the said land, they will report that fact to court, with their

reasons therefor.

And the cause is continued.

Enter
Hawthorne
Feb. 26, 1907-

Entered in C.O.B.
8, page 272 re-

Cecil B. DeMille

Virginia,

At a Circuit Court continued and held for Lee County, at the Court-house thereof, on Wednesday, the 23rd day of May, 1906.

John S. Bailey, Sallie Roop, C. E. Bailey and
T. A. Bailey, the two last named being infants
under the age of twenty-one years, Plaintiffs.

vs.) In Chancery) Decree No. 1

John A. Robbins, Mary Robbins, widow of W. G. Robbins, deceased, Palmer Robbins, Clinton Robbins, Earnest Robbins, William Robbins, Maynard Robbins and Charley Robbins, the five last named being infant children and heirs at law of said Wm. G. Robbins, deceased. Defendants.

On motion of the plaintiffs, by counsel, it is ordered that M. G. Ely be and he is hereby appointed guardian ad litem for Palmer, Clinton, Maynard, Earnest, Charley and William Robbins, infant defendants; and on motion of the said M. G. Ely, guardian ad litem as aforesaid, leave is granted him to file the answer of the said infant defendants, which answer is duly sworn to. Thereupon the plaintiff replied generally to the said answer.

Thereupon the cause came on this the 23rd. day of May, 1906, to be heard upon the bill of the plaintiffs and exhibits numbered one, two, three, four and five therewith, process duly executed on the adult defendants, John A. Robbins and Mary Robbins, and also on Palmer and Clinton Robbins, and was argued by counsel.

On consideration whereof, and it appearing that although the said John A. Robbins and Mary Robbins have been duly summoned they have each failed to appear and plead, answer and demur to the said bill, it is therefore adjudged, ordered and decreed that the said bill be taken for confessed as to them.

And it is further adjudged, ordered and decreed that this cause be referred to Geo. P. Gridlin, one of the Commissioners of the Court, whose duty it is made, after giving the said adult defendants

and the guardian ad litem for the said infant defendants notice of the time and place and object of his sitting, to ascertain and report to the Court, (1) the value of the timber removed from the tract of land described in the plaintiffs' bill and exhibit 1 therewith by the said John A. Robbins, and by W. G. Robbins in his lifetime and by his widow and children after his death, and the date or dates of said removal; (2) the value of the rents, issues and profits which the said parties have received from the said lands, with the dates of receipt of same; and (3) any other matter deemed pertinent by himself or required by any party in interest. And said commissioner will reduce to writing and return with his report all evidence introduced by the parties before him.

And until the coming in of the said report, the cause is continued.

A copy,

Teste: _____, Clerk.

John S. Bailey et al
vs. Deere
John A. Robbins

Copy for return

Legal service of this
decre accepted

This June 19, 1906.

Geo. P. Cridlin

John A.

Deere

1906

CIRCUIT COURT FOR LEE COUNTY;

John S. Bailey, Sallie Reop, C. B. Bailey and
T. A. Bailey, the two last named being in-
fants under the age of twenty-one years, ... Plaintiffs.

vs. (In Chancery) Decree No. 1.

John A. Robbins, Mary Robbins, widow of W. G. Robbins, de-
ceased, Palmer Robbins, Clinton Robbins,
Ernest Robbins ~~and~~ William Robbins ~~and~~
Maynard Robbins and Charley Robbins, the
five last named being infant children and heirs at law
of said Wm. G. Robbins, deceased, Defendants.

On motion of the plaintiffs, by counsel, it is or-
dered that M. G. Ely be and he is hereby appointed guardian
ad litem for Palmer, Clinton, Maynard, Ernest, Charley and
William Robbins, infant defendants; and on motion of the said
M. G. Ely, guardian ad litem as aforesaid, leave is granted
him to file the answer of the said infant defendants, which
answer is duly sworn to. Thereupon the plaintiff replied
generally to the said answer.

Thereupon this cause came on this the 23rd day of
May, 1906, to be heard u on the bill of the plaintiffs and
the aforesaid answer and general replication thereto
exhibits numbered one, two, three, four and five therewith,
process duly executed on the adult defendants, John A. Robbins
and Mary Robbins, and also on Palmer and Clinton Robbins,
and was argued by counsel.

On consideration whereof, and it appearing that al-
though the said John A. Robbins and Mary Robbins have been
duly summoned they have each failed to appear and plead an-
swer or demur to the said bill, it is therefore adjudged, or-
dered and decreed that the said bill be taken for confessed
as to them.

And it is further adjudged, ordered and decreed that
this cause be referred to Geo. P. Cridlin, one of the commis-
sioners of this court, whose duty it is hereby made, after
giving the said adult defendants and the guardian ad litem

for the said infant defendants notice of the time and place and object of his sitting, to ascertain and report to the court, (1) the value of the timber removed from the tract of described in the plaintiffs' bill and exhibit 1 therewith by the said John A. Robbins, and by W.G. Robbins in his lifetime and by his widow and children after his death, and the date or dates of said removal; ~~xx~~ (2) the ^{value of the} rents, issues and profits which the said parties have received from the said lands, with the dates of receipt of same; and (3) any other matter deemed pertinent by himself or required by any party in interest. And said Commissioner will reduce to writing and return with his report all evidence introduced by the parties before him, ~~and return it with his report.~~

And until the coming in of the said report, the cause is continued.

John S. Bailey et al

vs { In Chancery

John A. Robbins et al

Decree appointing Comm
re No. 1.

Entered in C. B.
8, Page 166 re.

Enter this decree

May 23, 1906

J. A. W. S. C. C.

Virginia,

At a Circuit Court continued and held for Lee County, at the Court-house thereof, on Wednesday, the 23rd day of May, 1906.

John S. Bailey, Sallie Roop, C. B. Bailey and
T. A. Bailey, the ~~two~~ last named being infants
under the age of twenty-one years, Plaintiffs.

vs.) In Chancery) Decree No. 1

John A. Robbins, Mary Robbins, widow of W. G. Robbins, deceased, Palmer Robbins, Clinton Robbins, Earnest Robbins, William Robbins, Maynard Robbins and Charley Robbins, the five last named being infant children and heirs at law of said W. G. Robbins, deceased. Defendants.

On motion of the plaintiffs, by counsel, it is ordered that M. G. Ely be and he is hereby appointed guardian ad litem for Palmer, Clinton, Maynard, Earnest, Charley and William Robbins, infant defendants; and on motion of the said M. G. Ely, guardian ad litem as aforesaid, leave is granted him to file the answer of the said infant defendants, which answer is duly sworn to. Thereupon the plaintiff replied generally to the said answer.

Thereupon the cause came on this the 23rd. day of May, 1906, to be heard upon the bill of the plaintiffs and exhibits numbered one, two, three, four and five therewith, process duly executed on the adult defendants, John A. Robbins and Mary Robbins, and also on Palmer and Clinton Robbins, and was argued by counsel.

On consideration whereof, and it appearing that although the said John A. Robbins and Mary Robbins have been duly summoned they have each failed to appear and plead, answer and demur to the said bill, it is therefore adjudged, ordered and decreed that the said bill be taken for confessed as to them.

And it is further adjudged, ordered and decreed that this cause be referred to Geo. P. Cridlin, one of the Commissioners of the Court, whose duty it is made, after giving the said adult defendants

and the guardian ad litem for the said infant defendants notice of the time and place and object of his sitting, to ascertain and report to the Court, (1) the value of the timber removed from the tract of land described in the plaintiffs' bill and exhibit 1 therewith by the said John A. Robbins, and by W. G. Robbins in his lifetime and by his widow and children after his death, and the date or dates of said removal; (2) the value of the rents, issues and profits which the said parties have received from the said lands, with the dates of receipt of same; and (3) any other matter deemed pertinent by himself or required by any party in interest. And said commissioner will reduce to writing and return with his report all evidence introduced by the parties before him.

And until the coming in of the said report, the cause is continued.

A copy,

Teste: A. C. Taving, Clerk.

John S. Bailey et al
vs { Decree

John A. Robbins et al

Copy for

Geo. P. Cridlin

A copy,

Teste:

Geo. P. Cridlin

widow and children after his death, and the date or dates of said re-
said John A. Robbins, and by W. O. Robbins in his lifetime and by his
land described in the plaintiffs' bill and exhibit 1 therewith by the
to the court, (1) the value of the timber removed from the tract of
the time and place and object of his effort, to ascertain and report
and the Guardian ad litem for the said infant defendants notice of

Virginia,

At a Circuit Court continued and held for Lee County, at the Court-house thereof, on Tuesday, the 26th day of February, 1907.
John S. Bailey, et al, Plaintiffs,

Vs

John A. Robbins, et al, Defendants.

This cause came on this day to be heard upon the papers formerly read and the report of Geo. P. Cridlin, Special Commissioner, filed in the cause on 28th day of November 1906, and was argued by counsel.

On consideration whereof it is adjudged, ordered and decreed that the said report of said commissioner be and the same is hereby confirmed, and that plaintiffs recover from the defendants the sum of twenty-five dollars and the costs of this suit up to the present time on account of the rents due them for their interests in the said lands, and the timber removed from same, by said defendants, but no execution shall issue on said judgment and costs, the attorney for the plaintiffs stating in open court that the said twenty-five dollars and also the sum of thirty dollars and twenty five cents costs have already been paid to him as counsel for the plaintiffs.

And it is further adjudged, ordered and decreed that J. M. Carmichael, W. M. Stewart, M. D. Collier, James Smith and H. S. Grant Legg, who are hereby appointed special commissioner for the purpose, any three or more of whom may act, do go upon the lands owned by Mary Bailey, deceased, in her lifetime, which tract is fully described in the deed dated January 11th 1895 from James M. Bailey and others to the said Mary Bailey, and recorded in Lee County Deed Book No 29, page 246, and lay off and assign to the plaintiffs one equal tenth part thereof, having due regard to quantity, quality, water, ways, minerals and conveniences, if they can do so conveniently, and equitably and report their action to court; but, if in their opinion, they cannot so partition the said land, they will report that fact to court, with their reasons therefor. And the cause is continued.

A copy,

Teste: H. C. Ewing, Clerk.

John S. Bailey et al
vs. J. Dierck

John A. Robbins et al

Copy for

James Smith.

Gone to the State
of Washington

J. T. Hughes D.

Virginia,

At a Circuit Court continued and held for Lee County, at the Court-house thereof, on Tuesday, the 26th day of February, 1907.

John S. Bailey, et al.

Plaintiffs.

Vs

John A. Robbins, et al.

Defendants.

This cause came on this day to be heard upon the papers formerly read and the report of Geo. P. Gridlin, Special Commissioner, filed in the cause on 28th day of November 1906, and was argued by counsel.

On consideration whereof it is adjudged, ordered and decreed that the said report of said commissioner be and the same is hereby confirmed, and that plaintiffs recover from the defendants the sum of twenty-five dollars and the costs of this suit up to the present time on account of the rents due them for their interests in the said lands, and the timber removed from same, by said defendants, but no execution shall issue on said judgment and costs,

the attorney for the plaintiffs stating in open court that the said twenty-five dollars and also the sum of thirty dollars and twenty five cents costs have already been paid to him as counsel for the plaintiffs.

And it is further adjudged, ordered and decreed that L. M. Carmical, W. M. Stewart, M. D. Collier, James Smith and U. S. Grant Legg, who are hereby appointed special commissioners for the purpose, any three or more of whom may act, do go upon the lands owned by Mary Bailey, deceased, in her lifetime, which tract is fully described in the deed dated January 11th 1893 from James M. Bailey and others to the said Mary Bailey, and recorded in Lee County Deed Book No 29, page 246, and lay off and assign to the plaintiffs one equal tenth part thereof, having due regard to quantity, quality, water, ways, minerals and ~~xxxxx~~ conveniences, if they can do so conveniently and equitably, and report their action to court; but, if in their opinion, they cannot so partition the said land, they will report that fact to court, with their reasons therefor. And the cause is continued.

A copy,

Teste: H. C. P. Ewing, clerk.

John S. Bailey et al
vs Deere

John A. Robbins et al

Copy for return

executed by
Delivering above
copy of the within
to W. M. Stewart

W. D. Collier
U. S. Grant Leg
this March 9, 1907

J. F. Hughes D. L.
for D. M. Ball

D. L. C.

1
Recorded in Deed
Book 461 page 2471
Examined Oct 17, 1907
Indexed

JOHN S. BAILEY ET AL - - - - - Plaintiffs.

Vs. In Chancery.

JOHN ROBBINS ET AL - - - - - Defendants.

By a DECREE entered in the above styled cause, by the CIRCUIT COURT OF LEE COUNTY, VIRGINIA, on the 23rd day of May, 1906, the undersigned Commissioner was designated for the purpose and directed to ascertain and report to said Court (1) the value of the timber removed from the tract of land described in the plaintiffs' bill and exhibit 1 therewith, by Jona A. Robbins and Wm. G. Robbins in his life time, and by his widow and children after his death, and the date and dates of said removal; (2) the value of the rents, issues and profits, which the said parties have received from the said lands with the dates of receipt of same; and, (3) any other matter deemed pertinent by himself, or required by any party in interest.

The parties interest in the aforesaid decree, will take notice that on the 27th day of August, 1906, at my office in the town of Jonesville, Virginia, I shall proceed to execute the same, at which time and place, they are required to attend, with such books, papers vouchers and evidence as will enable me to comply with said decree of said Court.

This the 26th day of June, 1906.

Geor. Erickson
Commissioner in Chancery.

JOHN S. BAILEY ET AL - - - - - Plaintiffs.

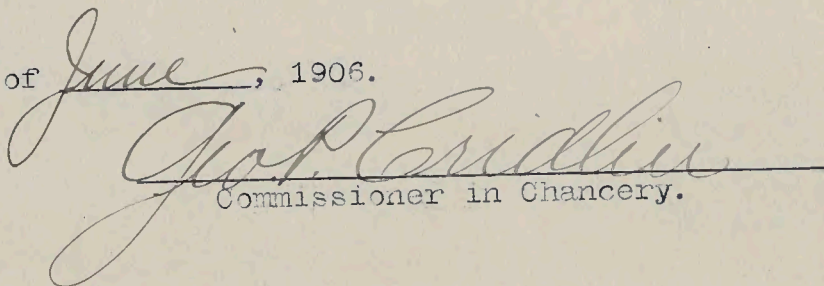
Vs. In Chancery.

JOHN A. ROBBINS ET AL - - - - - Defendants.

By a DECREE entered in the ABOVE STYLED CAUSE, by the CIRCUIT COURT OF LEE COUNTY, VIRGINIA, on the 23rd day of May, 1906, the undersigned Commissioner was designated for the purpose and directed to ascertain and report to said Court (1) the value of the timber removed from the tract of land described in the plaintiffs' Bill and Exhibit 1 therewith, by John A. Robbins and by Wm. G. Robbins in his life time, and by his widow and children after his death, and the date and dates of said removal; (2) the value of the rents, issues and profits which the said parties have received from the said lands with the dates of receipt of same; and, (3) any other matter deemed pertinent by himself, or required by any party in interest.

The parties interested in the aforesaid decree, will take notice that on the 27 day of August, 1906, at my office in the town of Jonesville, Virginia, I shall proceed to execute the same, at which time and place, they are required to attend, with such books, papers, vouchers and evidence as will enable me to comply with said decree of said Court.

This the 26 day of June, 1906.


Commissioner in Chancery.

I accept legal service of the within notice for the plaintiffs. This June 26, 1906.
L. T. Hyatt, atty for plffs.

John S. Bailey et al
vs. { In Eq

John A. Robbins

Court's Notice

copy accepted by
Plffs. atty.

JOHN S. BAILEY ET AL - - - - - Plaintiffs.

Vs. In Chancery.

JOHN^A ROBBINS ET AL - - - - - Defendants.

By a DECREE entered in the above styled cause, by the CIRCUIT COURT OF LEE COUNTY, VIRGINIA, on the 23rd day of May, 1906, the undersigned Commissioner was designated for the purpose and directed to ascertain and report to said Court (1) the value of the timber removed from the tract of land described in the plaintiffs' bill and exhibit 1 therewith, by John A. Robbins and Wm. G. Robbins in his life time, and by his widow and children after his death, and the date and dates of said removal; (2) the value of the rents, issues and profits, which the said parties have received from the said lands with the dates of receipt of same; and, (3) any other matter deemed pertinent by himself, or required by any party in interest.

The parties interest in the aforesaid decree, will take notice that on the 27th day of August, 1906, at my office in the town of Jonesville, Virginia, I shall proceed to execute the same, at which time and place, they are required to attend, with such books, papers vouchers and evidence as will enable me to comply with said decree of said Court.

This the 26th day of June, 1906.

Geor. P. Cridline
Commissioner in Chancery.

John S. Bailey et al

^{vs.}
John A. Robbins et al

Cours. Notice

Copy for
Sheriff's Return

Executed on the 5th
day of ~~July~~ 1906, by
delivering true copies
of the within notice
to Palmer Robens

Levinson Robens

John A. Robens

Mary Robbins
~~not being at home~~
put her notes on
the door

J. J. Hughes D L
for J. M. Ball
D L C

JOHN S. BAILEY ET AL - - - - - Plaintiffs.

Vs.

In Chancery.

JOHN A. ROBBINS ET AL - - - - - Defendants.

To the Honorable H.A.W. Skeen, Judge of the Circuit Court of
Lee County, Virginia:

Your undersigned, who was by a decree entered in the above
styled cause on the 28rd day of May, 1906, appointed a Special Com-
missioner for the purpose and directed to ascertain and report (1)
the value of the timber removed from the tract of land described
in the plaintiffs' bill and exhibit 1 therewith, by John A. Robbins
and Wm. G. Robbins, in his life time, and by his widow and children
after his death, and the date and dates of said removal; (2) the
value of the rents issues and profits, which the said parties have
received from the said lands with the dates of receipt of same; and,
(3) any other matter deemed pertinent by himself, or required by
any party in interest; begs leave to report as follows, to-wit:

That he gave proper notice to all the parties of the time
and place of his sitting, which notice is hereto attached marked
Commissioner's Notice; that after the service of said notice
counsel for the plaintiff and some of the defendants appeared be-
fore your Commissioner and asked that the matter of account be con-
tinued in order to give the parties time to conclude a matter of
compromise then pending between them, by which they hoped that all
matters in controversy in said cause could be settled and adjusted,
and your Commissioner pursuant to said request has continued his
sitting from time to time down to the present time; and your Com-
missioner has been directed to report that the parties have come
to an agreement as to the amount due to the plaintiffs from the
defendants on account of rents, of the land in the bill mentioned,
and for the timber cut and removed from the same, said amount being
\$25.00. Your Commissioner thinks that this is an equitable settle-
ment of the matter, and reports that from the facts as he under-
stands them, the sum of \$25.00 should be paid by the ^{Defendants} ~~plaintiffs~~ to
the ^{plaintiffs} ~~defendants~~ in full of all claim for rents and for timber cut and
removed.

All of which is respectfully submitted.

Geo. P. Criddle
Special Commissioner.

John S. Bailey et al
vs. J. Du Chy.

John A. Robbins et al
Courts. Report.

Filed Nov. 28th 1906

H. C. F. Ewing, Clerk.

Courts. fee \$1.50

John S. Bailey et al Refs
VS

2d Chy.

John H. Robbins et al Defts

Pursuant to an order of the Circuit Court of Lee Co. dated Feb 26th 1907. we the undersigned Commissioners L. M. Carnical - W. M. Stewart and M. D. Collier have partitioned the lands owned by Mary Bailey, deceased in her life time, according to the following plat and Report. By actual survey we found the lands to contain 76 acres. Out of which having due regard to quantity, quality, water, ways, minerals and conveniences, we have laid off and assigned to the Plaintiffs John S. Bailey et al Lot No 1 which we regard equal in value to one tenth of the whole tract, and which is bounded as follows to wit: Beginning at (A) a large Chestnut oak on the top of a spur-corner on the line of the Elihu Hoover tract - Thence N 60° 10' 65.7" 92 $\frac{92}{100}$ poles to a stake thence with the original line N 84 $\frac{1}{2}$ ° E 16 poles to a stake on a spur N 32 $\frac{1}{4}$ ° E 22 $\frac{3}{4}$ poles to a large water oak on a rocky spur - thence continuing with original lines and up a spur as it meanders N 62 $\frac{1}{2}$ ° W 4 poles N 70° W 14 $\frac{4}{10}$ poles N 40° W 7 $\frac{46}{100}$ poles N 29 $\frac{1}{2}$ ° W 9 $\frac{80}{100}$ poles N 11 $\frac{1}{4}$ ° W 7 $\frac{84}{100}$ poles N 12 $\frac{1}{2}$ ° W 5 $\frac{56}{100}$ poles N 60° W 5 $\frac{42}{100}$ poles to the beginning Containing 7 $\frac{6}{10}$ acres more or less

The remaining part of the tract (or Lot No 2) is bounded as follows - Beginning at (A) a large

Chestnut-oaks - Corner to Lot (1) - thence with the
top of a ridge and the original line $S 76^{\frac{3}{4}} W 11.08$
poles $S 89^{\frac{3}{4}} W 6.52 p$ $S 88 W 5.20 p$. $N 70^{\frac{1}{2}} W 5.32 p$ $N 56^{\frac{1}{2}} W$
 $8 p$ $N 37^{\frac{3}{4}} W 9 p$. $N 79^{\frac{1}{4}} W 9.32 p$. $S 75^{\frac{3}{4}} W 12 p$. $S 85^{\frac{1}{4}} W$
 $10.12 p$ $S 60^{\frac{1}{2}} W 5.68 p$ $S 40 W 5.64 p$ to a large ch. oak
thence leaving the top of said ridge and with
original lines $S 73^{\frac{1}{2}} W 75$ to a stake on top
of a spur $S 22^{\frac{3}{4}} W 26.20 p$ to a cedar $S 54^{\frac{1}{2}} E$
 $23 \frac{72}{100}$ poles to a cedar $S 36 E 41 \frac{4}{10}$ poles to a
triple Chestnut on the top of a ridge
 $N 53^{\frac{1}{4}} E 22.6 p$ to a large white oak $N 57^{\frac{1}{4}} E 42 \frac{3}{4}$
 p to a white oak & dogwood $S 13^{\frac{1}{4}} E 50 \frac{8}{10}$ poles to
a white oak $N 52 E 72$ poles to (B) a stake
Corner to Lot 1 and with line thereof
 $N 60^{\circ} 10' W 57.92 \frac{92}{100}$ poles to the beginning -
Containing $68.8 \frac{8}{10}$ acres more or less
Respect Submitted

L. M. Carnieal
W. M. Stewart
M. D. Callier } Commis-

John S. Bailey et al

vs } Report of Commissioners

John A. Dalbins

Filed Sept. 13, 1907.

H. C. P. Ewing,

Clerk.

2

Recorded in Deed
Book 46, Page 248

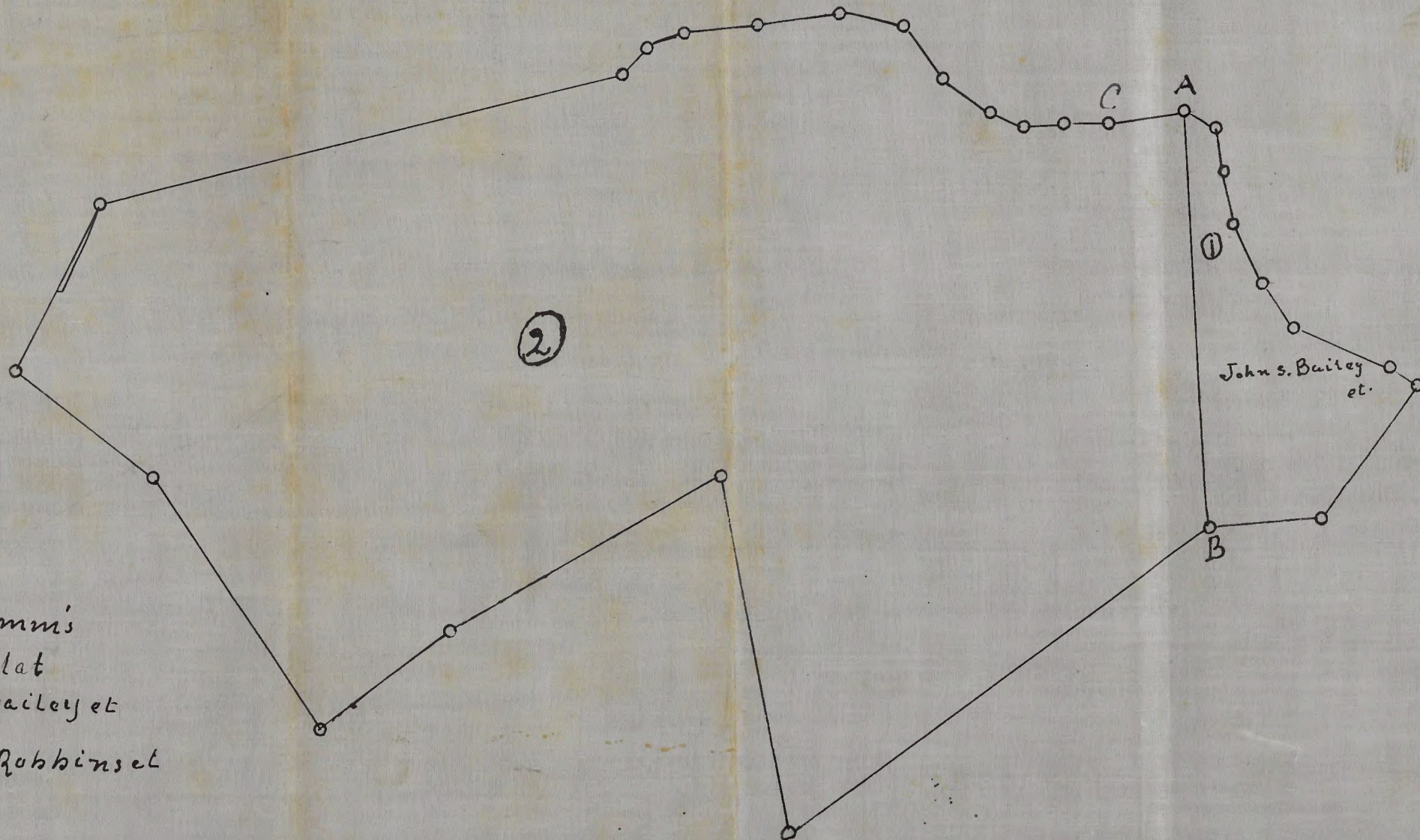
Examined Oct. 17, 1907

Indexed

Cost of Partitions

A. W. Cornwell	2 1/2	17.00
W. W. Stewart	2 1/2	5.00
M. D. Collier	2 1/2 days	5.00
Harmon	2 1/2 "	2.50
Chambers	2 1/2 "	2.50
Flagman	2 1/2 "	2.50
	<u>3 1/2</u>	<u>34.50</u>

Commis
Plat
J. S. Bailey et
vs
J. A. Robbins et



This deed of conveyance made the 11 day of January 1893^{by and} between James M. Bailey and Susan F. Bailey his wife and John Holms and Martha Holms his wife of the first Part of the county of Lee and state of Virginia and Mary Bailey of the second part of the county and state aforesaid Witnesseth that for and in consideration of the sum of five hundred dollars in hand paid the receipt whereof is hereby acknowledge parties of the first part do Grant bargain sell & convey unto Mary Bailey Party of the second part a certain tract or parcel of land lyining and being in the county of Lee state of Virginia & situated of the waters of Coxes and Jones Creek on North Fork of Powels River containing one hundred acres be the same more or less, and bounded as follows to wit:

Begining at a oak in the gap of a ridge corner in Hughes survey Thence westwardly with the Hughes line to three oaks near Robbins Chapel Thence S. 22 W 32 poles to a cedar Thence S. 55' E. 28 poles to a cedar Thence S. 41 E. 46 poles to four chestnuts Thence N. 51 E. 24 poles to a white oak near two rocks N. 51 E. 44 poles to a white oak and dogwood corner to Abraham S. Edwards survey Thence with said line S. 16 E 50 poles to two white oaks corner to Paynes survey thence with said line N. 49 E. 38 poles to a white-oak and Gum Thence N. 82 E. 16 poles to a stake in said Paynes line Thence northly to a chestnut oak on a rocky point below the road Thence northardly up the meanders of a ridge to a chestnut corner to Elihu Hoover land thence westardly with said Hoover's line to the Begining Party of the second part to have and to hold the above tract of land with all the appertanances for ever Parties of the first part have hereunto signed their signature and seal day and date first above writen

his		
James x M. Bailey	(Seal)	
mark		
her		
Susan x F. Bailey	(Seal)	
mark		
his		
John x Holms ³	(Seal)	
mark		
her		
Martha x Holms	(Seal)	
mark		

State of Virginia)
 (to wit:
County of Lee)

I, F. M. Parsons a justice of the peace in and for the county & state aforesaid do certify that James M. Bailey and Susan F. Bailey his wife John Holms and Martha Holms his wife whoes names is signed to the foregoing Deed baring date on the 11 day of January 1893 acknowledged the same before me in my county and state

Given under my hand and seal this the 12 day of January 1893.

F. M. Parsons,

J. P.

Virginia, Lee County, to wit:-

In the office of the Clerk of the said county, May 15th., 1893, this deed was presented, and together with the certificate thereto annexed, admitted to record.

Teste: John R. Gibson,
Clerk.

A Copy,

Teste: M. H. P. King, Clerk.

(D. B. 29, page 246.)

Jas. M. Bailey, et al.
To & Deed.

Mary Bailey

Copy -

John S. Bailey et al

vs { In Chancery

John A. Robbins et al

"Exhibit No. 1"

with Bill

Clerk 50¢

This deed of conveyance made the 16th of December 1897 Between
and w. M. Bailey and Rebecca his wife
T. A. Bailey and Susan his wife Bennett Bailey and Jane his wife C.
and J. S. Holmes and Sarah his wife and B. F. Parsons and Jane his
B. Bailey and Rebecann his wife H. T. Bailey and Polley his wife and
wife and Johnie Holmes and Martha his wife and Susan Bailey
J. W. Bailey party of the first part, of Lee county and state of Va.

And John A Robbins, Party of the second Part of the county and state

aforsaid Witnesseth that for and in consideration of the sum of

\$450.00 Paid or secured to be paid by reserving vendace lean on
said land conveyed in this Deed. The receipt whereof is hereby ac-

knowledged, Parties of the first part do Grant bargan and sell un-

to the party of the second part a certain tract or parcel of land

lying and being in Lee county and State of Va. and situated on the

waters of Coxes and Jones Creek, and bounded as follows, To wit,

Begining at a white oak and Black oak a corner of W. G. Robbins land

and with same S 21 E 22 1/2 Poles to a stake, Thence S 1 E 8 Poles

to a stake Thence S 19 E. 5 poles to a stake Thence S 69 E 14 poles

to a stake, Thence S 1 W 30 poles to a dogwood Thence S 25 E 13 1/2

poles to a white oak, Thence N 53 E 43 1/2 poles to a white oak and

dogwood Thence N 15 E 50 poles to a White Oak Thence N 49 E 72 poles

to a gum & white oak, Thence N 84 E 16 poles to a stake, Thence N

44 E 22 poles to a Chestnut Oak N 27 W 16 poles to a stake, Thence

N 9 W 12 poles to a gum a corner to Susan Baileys land N 63 W 4

poles to a Chestnut Oak Thence S 85 W 24 poles to a stake Thence N

69 W 6 poles to a stake, Thence S 44 W 18 poles to a stake Thence

N 80 W 7 poles to a stake Thence S 74 W 10 poles to a stake Thence

S 86 W 14 poles to a Dogwood Thence S 45 W 10 poles to the begin-

ing, Containing 57 acres Partys of the first part warnt generly

the land herby coneyed Witness the following signatures and seals

T. A. Bailey (Seal)

her

Susan x Bailey (Seal)

mark

his

C. B. x Bailey (Seal)

mark

her

Rebecann x Bailey (Seal)

mark

Bennett Bailey (Seal)

her Jane x Bailey mark	(Seal)
J. W. Bailey	(Seal)
H. T. Bailey her	(Seal)
Polly x Bailey mark	(Seal)
Susan F. Bailey	(Seal)
W. M. Bailey her	(Seal)
Rebecca x Bailey mark	(Seal)
her Jane x Parsons mark	(Seal)
John S. Holmes her	(Seal)
Sarah x Holmes mark	(Seal)

State of Virginia

Lee County to wit.

I James Smith a Justice of the peace In and for the County of Lee and state of Virginia Do certify that T. A. Bailey and Susan Bailey and C. B. Bailey Rebecca Bailey and Bennett Bailey and Jane Bailey and J. W. Bailey whose names is signed to the foregoing deed Bearing date on the 16 day of December 1897 Personly appeared before me in my county and state above written and acknowledge the same as being ther signatures given under my hand and seal this the 18 day of December in the year 1897

James Smith, J. P.

State of Kentucky)
(Sct.
Knott County)

B. H. Ambyeng Clerk of the Knott County Court for the county and state aforesaid certify that the foregoing deed of conveyance was on the 31st day of January 1898 produced to me in my county and acknowledged before by H. T. Bailey and Polly Bailey his wife to be their act and deed as the law request Given under my hand this the 31st day of January 1898

B. H. Ambuyey (clerk)

State of Virginia Lee County to wit

I James Smith a Justice of the peace In and for the state of Virginia and county of Lee Do certify that Susan F. Bailey and W. M. Bailey and Rebecca his wife and Jane Parsons and John S. Holmes and Sarah his wife whose names is signed to the foregoing deed bearing date on the 16 day of December 1897 Personally appeared before me In my county and state above written and acknowledge the same as being there own act and signatures given under my hand and seal this the 1 day of March 1898

James Smith, J. P.

Virginia, Lee County, to wit:-

In the office of the Clerk of the County Court for said County the 22nd day June 1898. This deed was presented and together with the certificate thereto annexed admitted to record.

Teste:- S. V. F. Richmond Clerk

A Copy,

Teste: N. C. T. Haring, Clerk.

(D. B. 34, page 206.)

J. A. Bailey et al
To/Deed
John A. Robbins

Copy

John S. Bailey et al
vs. { In Chancery
John A. Robbins et al

"Exhibit No 2"
with Bill.

Chk \$1⁰⁰

This deed of conveyance made the 22 day of February 1896. T.

A. Bailey and Susanah his wife Bennett Bailey and Jane his wife
and C. B. Bailey and Rebecca his wife
William M Bailey and Rebecca his wife B. F. Parsons and Jane his wife

and J. W. Bailey & Sarah Holmes C. T. Bailey and Martha Holmes of
the first part of the County of Lee and state of Virginia and
George W. Mullins of the second part of the County and state afore-
said. Witnesseth that for and in consideration of Ninety Dol-
lars in hand paid the receipt whereof is hereby acknowledged.

Parties of the first part do this day Grant bargain sell and con-
vey unto the party of the second part a certain tract or parcel
of land lying and being in Lee County Va. and in the Crab Orchard
near Robbins Chapel and Bounded as follows to wit, Begining at
a rock by the side of the Public road near Robbins Chapel N 46 W
10 1/2 poles to a stake thence N 53 E 11 poles to a stake thence S
25 E 8 1/2 poles to a stake by the road thence with the road to the
Begining containing one half acre more or less Party of the sec-
ond part to have and to hold with all the appertances thereunto
forever Parties of the first part warrants Generaly the land here-
by conveyed. witness the following signatures

Bennett Bailey	(Seal)
her	
Jane x Bailey	(Seal)
mark	
W. M. Bailey	(Seal)
her	
Rebecca x Bailey	(Seal)
mark	
her	
Sarah x Holmes	(Seal)
mark	
her	
Jane x Bailey	(Seal)
mark	
his	
C. x B. Bailey	(Seal)
her	
Martha x Holmes	(Seal)
mark	
T. A. Bailey	(Seal)
her	
Susan x Bailey	(Seal)
mark	

his
J. M. x Bailey (Seal)
mark

H. T. Bailey (Seal)

State of Virginia) to wit

County of Lee) to wit

I, F. M. Parsons a Justice of the Peace in and for the county and state aforesaid do certify that Bennett Bailey and Jane his wife W. M. Bailey and Rebecca his wife Sarah Holmes Jane Bailey C. B. Bailey, Martha Holmes, T. A. Bailey and Susanah his wife J. W. Bailey and H. T. Bailey whose names is signed to the foregoing deed baring date on the 22 day of Febuary 1896 acknowledge the same before me in my county and state given under my hand and seal the 22 day of Febuary 1896.

F. M. Parsons J. P.

Virginia, Lee County, to wit:

In the office of the Clerk of the County Court for said county the 14th day of June 1898. This deed was presented and together with the certificate ^{Shirts} annexed admitted to record

Test: S. V. F. Richmond

Clerk

A Copy,

Test: W. C. F. Fearing, Clerk

(D. B. 34, page 195.)

Bennett Bailey et al,
vs { Decd.

George W. Mullins,

Copy

John S. Bailey et al
vs { In Chancery
John A. Robbins et al

"Exhibit No. 3"
with Bill.

Clerk 50¢

THIS DEED OF CONVEYANCE made this the 17 day of August 1898,

by and between G. W. Mullins and Emley his wife of the first part and John A. Robbins of the second part all of the County ^{of Lee} and State of Virginia; Witnesseth, that fore and in ~~the~~ consideration of the sum of One hundred and forty dollars in lawful money paid or secured by note the parties of the first part do grant, bargain, sell and convey unto the party of the second part a certain tract or parcel of land lying and being in the County of Lee and State of Virginia on Jones Creek in Craborchard near Robbins Chapel the evidence of title exist in Deed Book No. 34 page 194 & 195 and bounded as follows to-wit; Beginning at a rock by the side of the public road a corner to Robbins Chapel Church Lot N 46 W 10 1/2 poles to a stake thence N 53 E 11 poles to a stake thence S 25 E 8 1/3 poles to a stake by the road thence Seventy ~~three~~ feet to a stake on William G. Robbins line thence with said line thirty nine feet thence southwardly sixty three feet to a stake in road, thence Southwestwardly with the public road to the beginning corner and said to contain one acre. To have and to hold with all of the appurtenances forever and the parties of the first part do general warrant the land hereby conveyed, witnesseth the following signatures and seals.

his	
G. W. x Mullins	(Seal)
mark	
her	
Emely x Mullins	(Seal)
mark	

Virginia, Lee County to-wit;

I, James Smith a Justice of the Peace in and for the County of Lee and State of Virginia do certify that G. W. Mullins and Emely his wife whose names is signed to the within deed bearing date on the 17 day of August 1898 personally appeared before me in my County and State above written and acknowledged the same as being ther signatures and seals.

Given under my hand and seal, this the 17 day of August 1898.

James Smith

J. P.

Virginia, Lee County to-wit;

In the Office of the Clerk of the County Court for said County,
the 21st day of December 1903. This deed was presented, and together
with the certificate of acknowledgment thereto annexed, admitted to
record.

Teste: B. M. Morgan, Clerk.

A Copy,

(D. B. 41, page 68 &c.)

Teste: A. C. Fearing Clerk.

G. H. Mullins wife

Pop Deed

John A. Robbins.

~~~~~

copy.

---

John S. Bailey et al

vs. { In Chancery

John A. Robbins et al

~~~~~

Exhibit No. 4
with Bill."

Clerk 45¢

This deed made the 26 day of February 1896, between T. A. Bailey and Susan his wife, Bennett Bailey and Jane Bailey his wife, C. B. Bailey and Rebecca N. his wife H. T. Bailey J. W. Bailey, William M. Bailey & Rebecca his wife, Sarah Holmes, Martha Holmes, Jane Parsons and Susan^{ah} Bailey parties of the first part of the County of Lee and state of Virginia and William G. Robins^h party of the second part of the county and state aforesaid, Witnesseth that for and in consideration of the sum of two hundred Dollars paid and secured to be paid the receipt whereof is hereby acknowledged parties of the first part do bargain, sell and convey unto the party of the second part a certain tract or parcel of land lying and being in Lee County Va. and in the Crab Orchard on the waters of Jones Creek near Robbins Chapel and bounded as follows to wit:

Beginning at a white oak and red oak on top of a ridge the second corner to the Isaac Hughes fifty acres survey S 73 W 81 poles to a stake thence S 12 W 25 & 5 links to a cedar thence S 55 E 24 poles to a cedar thence S 38 E 44 poles to four chestnuts on top of a ridge thence N 51 E 23 poles to a white oak thence N 26 W 13 1/2 poles to a dog wood thence N 1 E 30 poles to a stake, thence N 69 E 14 poles to a stake thence N 19 E 5 poles to a stake thence N 1 W 8 poles to a stake thence N 21 W 22 1/2 poles to the beginning containing thirty acres party of the second part to have and to hold with all the appertances there unto forever and the parties of the first part warrants generally the land hereby conveyed, witness the following signatures and seals.

T. A. Bailey	(Seal)
her	
Susan X E Bailey	(Seal)
mark	
his	
Bennett x Bailey	(Seal)
mark	
her	
Jane x Bailey	(Seal)
mark	
H. T. Bailey	(seal)
J. W. Bailey	(Seal)
his	
C. B. x Bailey	(Seal)
mark	

her	
Martha x Holmes	(Seal)
mark,	
Nancy J x Parsons	(Seal)
mark	
her	
Sarah L x Holmes	(Seal)
mark	
W. M. Bailey	(Seal)
h er	
Rebecca x Bailey	(Seal)
mark	

State of Virginia,

County of Lee:

I, F. M. Parsons a Justice of the Peace in and for the County and State aforesaid do certify that T. A. Bailey & Susanah his wife Bennett Bailey & Jane his wife H. T. Bailey, J. W. Bailey, C. B. Bailey, Martha Holmes, ~~her~~, Nancy P. Parsons, Sarah L. Holmes, William M. Bailey and Rebecca his wife whose names is annex to the foregoing deed bearing date on the 26 day of February 1896, acknowledged the same before me in my county and State.

Given under my hand and seal the 13 day of March 1896.

F. M. Parsons J. P.

Virginia, Lee County, to-wit:

In the office of the Clerk of the County Court for said County the 12th day of March 1901, this deed was **presented** and, together with the certificate thereto annexed, admitted to record.

Teste: B. M. Morgan, Clerk

A Copy,

Teste: H. C. Morgan, Clerk.

Deed Book 37, Page 258.

J. A. Bailey et al.

To / Deed

Wm G. Robbins.

Copy

John S. Bailey et al

vs { In Chancery

John A. Robbins et al

Exhibit No 3⁺

with Bill

Clrk 75[¢]

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *John A. Robbins, Mary Robbins*
widow of W.G. Robbins, dec'd, Palmer Robbins, Clinton
Robbins, Ernest Robbins and William Robbins, The
four last named being infant children and
heirs at law of W.G. Robbins, dec'd.

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on
the *1st* Monday in *May*, 190*6*, to answer a bill in chancery exhibited against *Them*

by John S. Bailey, Sallie Roop, C.B. Bailey and
J. A. Bailey, the two last being infants, who
sue by John S. Bailey, their brother and
next friend.

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *30th*
day of *April*, 190*6*, and *130th* year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk.

-----, Clerk.

The defendants Palmer Robbins and Clinton Robbins not being found at their usual place of abode, I executed the within summons as to them by delivering to their mother Mary Robbins attested office copies of the same for them, at their usual place of abode on the 3rd day of May, 1906, and by explaining to her the purport of the said summons, she, the said Mary Robbins, being a member of their family over the age of sixteen years whom I found at the usual place of abode of the said Palmer and Clinton Robbins. This day of May, 1906.

P. M. Ball, Sheriff Lee County,
 BY *J. J. Hughes*, D. S.

<p><i>May 3 1906</i></p> <p><i>John S. Bailey, et al.</i></p>	<p>VS</p>	<p>SUBPENA IN CHANCERY.</p>	<p><i>John A. Robbins, et al.</i></p>	<p><i>L. G. Hyatt</i></p>	<p>To <i>1st May</i></p>	<p>Rules.</p>	<p>Court.</p>	<p><i>Lee County</i></p>	<p><i>1906</i></p>
---	-----------	-------------------------------------	---------------------------------------	---------------------------	--------------------------	---------------	---------------	--------------------------	--------------------

Executed on the 3rd day of May, 1906 by delivering a true copy of the within summons in person to John A. Robbins and Mary Robbins, the said Palmer Robbins and Clinton Robbins not being found at their usual place of abode, I delivered as to them by delivering two copies of the within summons to Mary Robbins at the usual place of abode of said Palmer Robbins, a woman over 16 years of age and explaining to her the purport of the same.

J. J. Hughes
P. M. Ball
D. S.
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